



FACILITY COMPLIANCE AUDIT REPORT

Division of Waste Management

Solid Waste Section

6501

UNIT TYPE: (check all that apply to this audit with same Permit number)

Lined MSWLF		LCID		YW		Transfer		Compost		SLAS		COUNTY: Avery PERMIT NO.: 06-03 FILE TYPE: COMPLIANCE
Closed MSWLF		HHW		White goods		Incin		T&P		FIRM		
CDFL	X	Tire T&P / Collection		Tire Monofill		Industrial Landfill		DEMO		SDTF		

Date of Audit: 3/03/08

Date of Last Audit: 06/05/07

FACILITY NAME AND ADDRESS

Avery County C&D Landfill
2175 Brushy Creek Road
Spruce Pine, NC 28777

GPS COORDINATES: (Decimal Degrees) N: 35.96209 E: -81.97060

FACILITY CONTACT NAME AND PHONE NUMBER:

Henry Norris, Avery County Solid Waste Director (828) 737-5420
Robert Wiseman, Avery County Manager (828-733-8201)

FACILITY CONTACT ADDRESS (IF DIFFERENT):

P.O. Box 640
Newland, NC 28657

AUDIT PARTICIPANTS:

Bill Wagner, NCDENR
Deb Aja, NCDENR
Henry Norris, Avery County Solid Waste Director

STATUS OF PERMIT:

Expired; review requested.

PURPOSE OF AUDIT:

Comprehensive audit.

NOTICE OF VIOLATION(S) (citation and explanation):

15A NCAC 13B .0542(f)(1) requires that "the owners and operators of all C&DFL units must cover the solid waste with six inches of earthen material when the waste disposal area exceeds one-half acre and at least once weekly."

15A NCAC 13B .0542(f)(2) requires that "areas which will not have additional wastes placed on them for three months or more, but where final termination of disposal operations has not occurred, must be covered and stabilized with vegetative ground cover or other stabilizing material."

Avery County is in violation of 15A NCAC 13B .0542(f)(1) and .0542(f)(2) by failing to cover the solid waste in Phase II, with six inches of earthen material. This waste disposal area exceeded one-half acre. A large amount of C&D waste was exposed throughout the Phase II waste disposal area for longer than one week. The Phase II waste disposal was inactive for longer than three months. (No waste was disposed of at the site after October 2007.)

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To correct these violations and come into compliance with 15A NCAC 13B .0542(f)(1) and .0542(f)(2), within seven days of receipt of this Notice, Avery County must cover the solid waste with six inches of earthen material and within twenty days, stabilize the waste disposal area with a vegetative ground cover.

You are hereby advised that, pursuant to N.C.G.S. 130A-22, an administrative penalty of up to \$15,000 per day may be assessed for each violation of the Solid Waste Statute or Regulations. If the violation(s) noted here continue, you may be subject to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules.

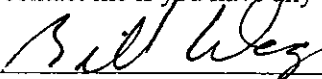
STATUS OF PAST NOTED VIOLATIONS (List all noted last audit):

None.

AREAS OF CONCERN AND COMMENTS:

1. The facility has not received any waste since October 2007.
2. Several cubic yards of C&D material, along with several large pieces of unidentified manufacturing equipment, have been placed outside of the operational boundary of the landfill. 15A NCAC 13B .0542(g)(1) requires that "C&DLF units must restrict solid waste to the smallest area feasible." This material need to be properly disposed of.
3. The access road to the C&D landfill was rutted, muddy and needs routine grading and maintenance.
4. Soil cover on the landfill is not adequate – a large amount of C&D material was exposed across the entire surface of Phase II of the landfill.
5. The Phase I area of the landfill needs to be reseeded.
6. A new access culvert to the leachate collection tank was installed.

Please contact me if you have any questions or concerns regarding this audit report.


Bill Wagner: Regional Representative

Phone: 828-298-4705

Distribution: original signed copy to facility -- e-mail to compliance officer – e-mail or copy to super

Delivered on : 3/13/08 by	hand delivery	US Mail	X	Certified No. 7002 0460 001 9899 4308
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cc: Robert Wiseman, Avery County Manager